



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Steven M. Tracy et al.

Serial No.: 09/817,748

Group Art Unit: not yet assigned

Filing Date: March 26, 2002

Examiner: not yet assigned

For: Coxsackievirus Vectors and Their Use in Prevention and Treatment of Disease

DATE OF DEPOSIT:

*March 11, 2002*

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO ATTENTION: OFFICE OF PETITIONS, BOX DAC, THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

*Janet E. Reed*  
TYPED NAME: Janet E. Reed  
REGISTRATION NO.: 36,252

Attention: Office of Petitions  
Box DAC  
Assistant Commissioner for Patents  
Washington, DC 20231

COPY

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

The above-identified application became abandoned for failure to file a timely and proper reply to the Notice of Incomplete Reply mailed on January 22, 2002, which set the period for reply as that set forth in the Notice to File Missing Parts mailed on June 1, 2001. The date of abandonment is the day after the expiration date of the period set for reply in the Notice to File Missing Parts, plus any extensions of time obtained therefor.

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**APPLICANTS HEREBY PETITION FOR THE REVIVAL OF THIS APPLICATION**

Petition fee (37 CFR 1.17m):

- ☒ Small Business entity - fee \$640.00
- ☒ Applicants have previously claimed small entity status under 37 CFR §1.27.
- ☐ Other than a Small Business entity - fee \$1,280.00

Reply and/or fee:

The reply to the above-noted Notice of Incomplete Reply

- ☐ was previously filed on \_\_\_\_\_.
- ☒ is enclosed herewith (a copy of the Sequence Listing is enclosed; the original Sequence Listing and diskette have been sent to the appropriate PTO address in Arlington, VA).


**STATEMENT**

The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. A reply to the June 1, 2001 Notice to File Missing Parts was submitted on November 7, 2001 with a petition for four-month extension of time, but the reply was incomplete in that it did not include a computer-readable form of the Sequence Listing. The January 22, 2002 Notice of Incomplete Reply was mailed after the final expiration of time for reply to the Notice to File Missing Parts.

Payment of fee(s):

- ☒ Enclosed please find a check in the amount of \$640.00 .
- ☐ Please charge Deposit Account No. 23-3050 the sum of \$ \_\_\_\_\_ .
- ☒ Please charge Deposit Account No. 23-3050 for any fee deficiency or credit this account for any overpayment for this petition.
- ☒ This Petition is enclosed in duplicate.

Date: *March 11, 2002*

  
\_\_\_\_\_  
Janet E. Reed  
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